

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, APRIL MUNIZ, MARCUS
MARTIN, NATALIE ROMERO, CHELSEA
ALVARADO, JOHN DOE, and THOMAS
BAKER,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

Civil Action No. 3:17-cv-00072-NKM-JCH

**CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO
MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS LEAGUE OF THE
SOUTH, MICHAEL HILL, AND MICHAEL TUBBS**

Plaintiffs Elizabeth Sines, Seth Wispelwey, Marisa Blair, April Muniz, Marcus Martin, Natalie Romero, Chelsea Alvarado, John Doe, and Thomas Baker (“Plaintiffs”), pursuant to Local Rule 11(c)(2), hereby move this Court for a one-week extension, to and including September 4, 2020, to respond to the Motion for Summary Judgment filed by Defendants League of the South, Michael Hill, and Michael Tubbs (the “Motion”), and to schedule a hearing on the Motion. Movant Defendants consent to this extension, and good cause exists for granting this extension. In support thereof, Plaintiffs state as follows:

1. Pursuant to the Scheduling Order issued by the Court [Dkt. 597], dispositive motions were due before or on August 7, 2020.
2. On August 6, 2020, counsel for Movant Defendants requested the Court’s permission to file a Memorandum in Support of a Motion for Summary Judgment in excess of 25

pages. [Dkt. 821]. In support, Movant Defendants submitted that their Motion would cover three separate defendants and additional facts and arguments would be necessary beyond what would be necessary for a single defendant. Movant Defendants also noted the unusual complexity of the case and large number of parties involved.

3. Plaintiffs consented to Movant Defendants' request. [Dkt. 822].
4. On August 7, 2020, Movant Defendants filed their Motion for Summary Judgment and Memorandum in Support—together totaling 51 pages and 62 Exhibits. [Dkts. 823-00 – 823-64].
5. For the same reasons cited in Movant Defendants' August 6, 2020 request, as well as the length and complexity of the Motion, Plaintiffs submit there is good cause for requesting a one-week extension of time to respond.
6. The parties have also consented to extending Movant Defendants' deadline to file a Reply to September 11, 2020 and scheduling a hearing on the Motion to the week of September 14, 2020, or another date at the Court's convenience.
7. Plaintiffs have not made prior requests to extend their deadline to respond, no party will be prejudiced by such an extension, and no other deadlines in this case will be affected by granting this Motion.

WHEREFORE, Counsel for Plaintiffs respectfully request that the Court extend Plaintiffs' deadline to respond to Movant Defendants' Motion for Summary Judgment to September 4, 2020.

Dated: August 21, 2020

Respectfully submitted,

/s/ Alan Levine

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CERTIFICATE OF SERVICE

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